

S/N 10/830,189

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian S. Kelleher, et al.
Serial No.: 10/830,189
Filed: April 21, 2004
Title: Electromyography System

Examiner: Unknown
Group Art Unit: 3736
Docket: 028US2

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the referenced materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to **Deposit Account No. 50-2040** in order to have this Supplemental Information Disclosure Statement considered. The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided,

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Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2)

Respectfully submitted,

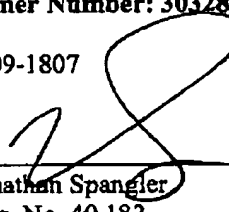
BRIAN S. KELLEHERBRIAN S. KELLEHER ET AL.

By their Representatives,

Customer Number: 30328

858-909-1807

Date 11-7-2005

By 
Jonathan Spangler
Reg. No. 40,182

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10 day of November, 2005.

Kyrstin Ryan
Name

Kyrstin Ryan
Signature

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IFW

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Title: Electromyography System

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MS Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

☒ A return postcard and this transmittal document.

☒ A Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (2 pgs.), and copies of 14 cited documents.

Customer Number: 30328

By

[Signature]
Jonathan Spangler
Reg. No. 40,182

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 10 day of November, 2005.

Kyrstin Ryan
Name

Kyrstin Ryan
Signature

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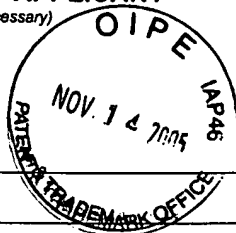
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/830,189
Filing Date	April 21, 2004
First Named Inventor	Kelleher, Brian
Group Art Unit	3736
Examiner Name	Unknown

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Attorney Docket No: 028US2

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-1548184	08/04/1925	Cameron, W. J.	04/11/1923
	US-20050004623A1	01/06/2005	Miles, P. et al.	04/30/2004
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	US-5928139	07/27/1999	Koros, T. B.	07/08/1998
	US-6206826	03/27/2001	Mathews, H. et al.	06/18/1999
	US-6334068	12/25/2001	Hacker, D. C.	09/14/1999
	US-6760616	07/06/2004	Hoey, M. F., et al.	05/18/2001
	US-6902569	06/07/2005	Parmer, K. et al.	06/26/2003

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	T ²
	WO-03037170A3	05/08/2003	Miles, P., et al.	
	WO-05013805A3	02/17/2005	Miles, P., et al.	

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-Issue number(s), publisher, city and/or country where published.	T ²
		"Brackmann II EMG System", <u>Medical Electronics</u> , (1999), 4 pages	
		"Neurovision SE Nerve Locator/Monitor", <u>RLN Systems, Inc. Operators Manual</u> , (1999), 22 pages	
		"The Brackmann II EMG Monitoring System", <u>Medical Electronics Co. Operator's Manual Version 1.1</u> , (1995), 50 pages	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

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First Named Inventor	Kelleher, Brian
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Examiner Name	Unknown

Sheet 2 of 2

Attorney Docket No: 028US2

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		"The Nicolet Viking IV", Nicolet Biomedical Products, (1999), 6 pages	
		ANDERSON, D. G., et al., "Pedicle screws with high electrical resistance: a potential source of error with stimulus-evoked EMG", <u>Spine</u> , 27(14), Department of Orthopaedic Surgery, University of Virginia, (Jul 15, 2002), 1577-1581	
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		DARDEN, B. V., et al., "A comparison of impedance and electromyogram measurements in detecting the presence of pedicle wall breakthrough", <u>Spine</u> , 23(2), Charlotte Spine Center, North Carolina, (Jan 15, 1998), 256-262	
		EBRAHEIM, N. A., et al., "Anatomic relations between the lumbar pedicle and the adjacent neural structures", <u>Spine</u> , 22(20), Department of Orthopaedic Surgery, Medical College of Ohio, (Oct 15, 1997), 2338-2341	
		HAIG, "Point of view", <u>Spine</u> 27 (24), 2819	
		HAIG, A. J., et al., "The relation among spinal geometry on MRI, paraspinal electromyographic abnormalities, and age in persons referred for electrodiagnostic testing of low back symptoms", <u>Spine</u> , 27(17), Department of Physical Medicine and Rehabilitation, University of Michigan, (Sep 1, 2002), 1918-1925	
		HOLLAND, N. R., et al., "Higher electrical stimulus intensities are required to activate chronically compressed nerve roots. Implications for intraoperative electromyographic pedicle screw testing", <u>Spine</u> , 23(2), Department of Neurology, Johns Hopkins University School of Medicine, (Jan 15, 1998), 224-227	
		MINAHAN, R. E., et al., "The effect of neuromuscular blockade on pedicle screw stimulation thresholds", <u>Spine</u> , 25(19), Department of Neurology, Johns Hopkins University, School of Medicine, (Oct 1, 2000), 2526-2530	

Filed: November 10, 2005

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